

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

MISC. CRIMINAL APPLICATION NO. E108 OF 2021

CORAM: R.E. ABURILI, J

DAVID OOKO MADOO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application arising from conviction and sentence of the

Principal Magistrate's court at Siaya in Criminal Case No. 51 of 2019)

RULING

1. The applicant **David Ooko Madoo** was convicted of the offence of defilement contrary to **Section 8(1)(3) of the Sexual Offences Act** and sentenced to serve 10 years imprisonment on 6/2/2020. He now applies for sentence reduction stating that he is reformed and has learnt from his past mistakes.

2. I have considered the application and grounds. I find no merit in the application as this Court is not vested with jurisdiction to merely reduce sentence which is lawfully imposed and where proceedings are regular and proper in such a serious offence.

3. I find no merit in the application. I decline it and dismiss it.

4. File closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 16TH DAY OF NOVEMBER, 2021

R.E. ABURILI

JUDGE